

11-22-04

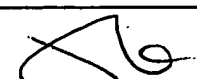
IFW 3762

PTO/SB/21 (04-04)

TRANSMITTAL FORM (to be used for all correspondence after initial filing) NOV 22 2004 Total Number of Pages in this Submission	Application Number	10/672,375
	Filing Date	September 25, 2003
	First Named Inventor	LAM, CANG
	Art Unit	3762
	Examiner Name	Unassigned
	Attorney Docket Number	021496-002114US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard PTO/SB/08A & PTO/SB/08B 48 References
Remarks: The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.		

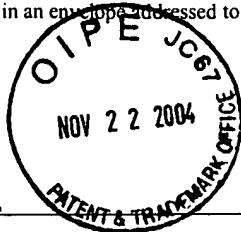
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Townsend and Townsend and Crew LLP	
Signature	James M. Heslin	Reg. No. 29,541
Date	October 22, 2004	

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
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PATENT
Attorney Docket No.: 021496-002114US

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On

10/22/04

TOWNSEND and TOWNSEND and CREW LLP

By:

Tiffany Wu

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CANG LAM et al.

Application No.: 10/672,375

Filed: September 25, 2003

For: APPARATUS AND METHODS
FOR FORMING AND SECURING
GASTROINTESTINAL TISSUE FOLDS

Examiner: Unassigned

Art Unit: 3762

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

James M. Heslin
Reg. No. 29,541

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60329882 v1

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

1

of

12

Complete if Known

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First Named Inventor	LAM, CANG
Art Unit	3762
Examiner Name	Unassigned
Attorney Docket Number	021496-002114US

U.S. PATENT DOCUMENTS+

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	1	2,201,610	05-21-1940	Dawson, Jr.	
	2	2,413,142	12-24-1945	Jones et al.	
	3	3,150,379	09-29-1964	Brown	
	4	3,166,072	01-19-1965	Sullivan, Jr.	
	5	3,494,006	02-10-1970	Brumlik	
	6	3,551,987	01-05-1971	Wilkinson	
	7	3,646,615	03-07-1972	Ness	
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	9	3,753,438	08-21-1973	Wood et al.	
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	11	3,874,388	04-01-1975	King et al.	
	12	3,910,281	10-07-1975	Kletschka et al.	
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	14	4,007,743	02-15-1977	Blake	
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	16	4,069,825	01-24-1978	Akiyama	
	17	4,245,624	01-20-1981	Komiya	
	18	4,367,746	01-11-1983	Derechinsky	
	19	4,414,720	11-15-1983	Crooms	
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	21	4,494,531	01-22-1985	Gianturco	
	22	4,532,926	08-06-1985	O'Holla	
	23	4,534,350	08-13-1985	Golden et al.	
	24	4,548,202	10-22-1985	Duncan	
	25	4,586,503	05-06-1986	Kirsh et al.	
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	33	4,724,840	02-16-1988	McVay et al.	
	34	4,750,492	06-14-1988	Jacobs et al.	
	35	4,765,335	08-23-1988	Schmidt et al.	
	36	4,832,055	05-23-1989	Palestrant	
	37	4,841,888	06-27-1989	Mills et al.	
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	39	4,890,615	01-02-1990	Caspari et al.	
	40	4,923,461	05-08-1990	Caspari et al.	
	41	4,929,240	05-29-1990	Kirsh et al.	

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	42	4,957,498	09-18-1990	Caspari et al.	
	43	5,032,127	07-16-1991	Frazee et al.	
	44	5,035,692	07-30-1991	Lyon et al.	
	45	5,037,433	08-06-1991	Wilk et al.	
	46	5,041,129	08-20-1991	Hayhurst et al.	
	47	5,059,201	10-22-1991	Asnis	
	48	5,088,979	02-18-1992	Filipi et al.	
	49	5,100,418	03-31-1992	Yoon et al.	
	50	5,108,420	04-28-1992	Marks	
	51	5,122,136	06-16-1992	Gugliemi et al.	
	52	5,123,914	06-23-1992	Cope	
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	54	5,203,864	04-20-1993	Phillips	
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	57	5,222,508	06-29-1993	Contarini	
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	60	5,224,946	07-06-1993	Hayhurst et al.	
	61	5,234,430	08-10-1993	Huebner	
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	67	5,282,827	02-01-1994	Kensey et al.	
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	72	5,316,543	05-31-1994	Eberbach	
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	78	5,354,298	10-11-1994	Lee et al.	
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	80	5,366,479	11-22-1994	McGarry et al.	
	81	5,372,146	12-13-1994	Branch	
	82	5,372,604	12-13-1994	Trott	

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			Application Number	10/672,375	
			Filing Date	September 25, 2003	
			First Named Inventor	LAM, CANG	
			Art Unit	3762	
			Examiner Name	Unassigned	
Sheet	3	of	12	Attorney Docket Number	021496-002114US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	83	5,374,275	12-20-1994	Bradley et al.	
	84	5,380,334	01-10-1995	Torrie et al.	
	85	5,382,231	01-17-1995	Shlain	
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	94	5,433,721	07-18-1995	Hooven et al.	
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	98	5,445,167	08-29-1995	Yoon et al.	
	99	5,458,609	10-17-1995	Gordon et al.	
	100	5,462,560	10-31-1995	Stevens	
	101	5,462,561	10-31-1995	Voda	
	102	5,465,894	11-14-1995	Clark et al.	
	103	5,470,337	11-28-1995	Moss	
	104	5,470,338	11-28-1995	Whitfield et al.	
	105	5,476,470	12-19-1995	Fitzgibbons, Jr.	
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	107	5,480,405	01-02-1996	Yoon	
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	115	5,522,843	06-04-1996	Zang	
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	122	5,549,621	08-27-1996	Bessler et al.	
	123	5,562,684	10-08-1996	Kammerer	

Examiner Signature	Date Considered
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	124	5,562,686	10-08-1996	Sauer et al.	
	125	5,562,688	10-08-1996	Riza	
	126	5,569,274	10-29-1996	Rapacki et al.	
	127	5,569,306	10-29-1996	Thal	
	128	5,571,116	11-05-1996	Bolanos et al.	
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	130	5,573,540	11-12-1996	Yoon	
	131	5,573,548	11-12-1996	Nazre et al.	
	132	5,578,045	11-26-1996	Das	
	133	5,582,616	12-10-1996	Bolduc et al.	
	134	5,584,835	12-17-1996	Greenfield	
	135	5,584,859	12-17-1996	Brotz	
	136	5,601,557	02-11-1997	Hayhurst	
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	138	5,613,974	03-25-1997	Andreas et al.	
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	142	5,630,540	05-20-1997	Blewett	
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	144	5,643,274	07-01-1997	Sander et al.	
	145	5,643,295	07-01-1997	Yoon	
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	147	5,643,320	07-01-1997	Lower et al.	
	148	5,658,312	08-19-1997	Green et al.	
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	150	5,662,662	09-02-1997	Bishop et al.	
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	155	5,679,005	10-21-1997	Einstein	
	156	5,683,417	11-04-1997	Cooper	
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	159	5,693,060	12-02-1997	Martin	
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	161	5,702,421	12-30-1997	Schneidt	
	162	5,707,394	01-13-1998	Miller et al.	
	163	5,709,708	01-20-1998	Thal	
	164	5,713,903	02-03-1998	Sander et al.	

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		Number Kind Code ² (if known)			
	165	5,720,765	02-24-1998	Thal	
	166	5,724,978	03-10-1998	Tenhoff	
	167	5,725,552	03-10-1998	Kotula et al.	
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	173	5,779,719	07-14-1998	Klein et al.	
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	182	5,810,851	09-22-1998	Yoon	
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	185	5,817,110	10-06-1998	Kronner	
	186	5,823,956	10-20-1998	Roth et al.	
	187	5,824,011	10-20-1998	Stone et al.	
	188	5,827,298	10-27-1998	Hart et al.	
	189	5,829,447	11-03-1998	Stevens et al.	
	190	5,836,955	11-17-1998	Buelna et al.	
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	192	5,843,084	12-01-1998	Hart et al.	
	193	5,843,126	12-01-1998	Jameel	
	194	5,846,261	12-08-1998	Kotula et al.	
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	196	5,860,991	01-19-1999	Klein et al.	
	197	5,861,003	01-19-1999	Latson et al.	
	198	5,868,762	02-09-1999	Cragg et al.	
	199	5,879,371	03-09-1999	Gardiner et al.	
	200	5,887,594	03-30-1999	LoCiero, III	
	201	5,888,247	03-30-1999	Benetti	
	202	5,891,168	04-06-1999	Thal	
	203	5,893,856	04-13-1999	Jacobs et al.	
	204	5,895,404	04-20-1999	Ruiz	
	205	5,897,562	04-27-1999	Bolanos et al.	

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Sheet 6	of 12	Attorney Docket Number	021496-002114US	

U.S. PATENT DOCUMENTS ⁺					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Complete if Known	
			Application Number	10/672,375
			Filing Date	September 25, 2003
			First Named Inventor	LAM, CANG
			Art Unit	3762
Examiner Name	Unassigned			
Sheet 7	of 12	Attorney Docket Number	021496-002114US	

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60329882 v1

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			First Named Inventor	LAM, CANG	
			Art Unit	3762	
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Sheet	8	of	12	Attorney Docket Number	021496-002114US

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60329882 v1

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			Art Unit	3762	
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Sheet	9	of	12	Attorney Docket Number	021496-002114US

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			Art Unit	3762	
			Examiner Name	Unassigned	
Sheet	10	of	12	Attorney Docket Number	021496-002114US

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	402	WO	03/090633	A2	11-06-2003	Kortenbach et al.		<input type="checkbox"/>
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		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
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	417	JOHNSTON et al. "The Magenstrasse and Mill Operation of Morbid Obesity", <i>Obesity Surgery</i> 13, (2003), pp. 10-16.	
	418	OKUDAIRA et al., "The Healing and Tensile Strength of the Gastroplasty Staple Line," <i>The American Surgeon</i> , (Oct. 1984), pp.564-568.	
	419	SURGICAL DYNAMICS INC., The S•D•sorb Meniscal Stapler [brochure] (1997), 3 pages total.	
	420	SUTURA, The Next Generation in Vascular Suturing Devices: SuperStitch [brochure], 2 pages total.	

Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.